

FARMINGTON CITY COUNCIL
REGULAR MEETING

A regular meeting of the Farmington City Council was held on Monday, February 7, 2005 in Council Chambers, 23600 Liberty Street, Farmington, Michigan. Notice of the meeting was posted in compliance with Public Act 267-1976.

The meeting was called to order at 8:00 p.m. by Mayor Campbell.

PRESENT: Bush, Campbell, Knol, McShane, Mitchell.

ABSENT: None.

CITY ADMINISTRATION: Clerk/Treasurer Cantrell, Director Gushman, Deputy Clerk Halberstadt, Director Nebus, City Manager Pastue, Assistant City Manager Richards.

APPROVAL OF AGENDA

02-05-015 MOTION by Knol, seconded by Mitchell, to approve the agenda as amended to remove item 5B “Chris McRae – Early Childhood Task Force” due to Mr. McRae’s inability to attend the meeting. MOTION CARRIED UNANIMOUSLY.

MINUTES OF PREVIOUS MEETING

02-05-016 MOTION by Bush, seconded by McShane, to approve the special and regular meeting minutes of January 17, 2005. MOTION CARRIED UNANIMOUSLY.

PRESENTATION/PUBLIC HEARINGS

**JEFF PURDY, LANGWORTHY, STRADER, LEBLANC & ASSOCIATES, INC. (LSL)
PLANNING, PROPOSED ZONING TEXT CHANGES**

Administration advised that as a result of the annual review process, implemented after the revision of the Zoning Code in 2002, several minor and two substantive changes are being proposed. Administration further advised that the first major change seeks to involve the Council in the Planned Unit Development (PUD) process prior to approval; and the second major change proposes the establishment of a Commercial Redevelopment Overlay District.

Jeff Purdy, LSL Planning, presented the proposed changes to the Zoning Code.

Responding to a question regarding specific standards for rental and leasing establishments, Mr. Purdy stated that the standards apply primarily to principle use and may not apply to accessory use.

COUNCIL PROCEEDINGS -2-
February 7, 2005

Responding to an additional question, Mr. Purdy confirmed that the code provides basic standards for parking, however, the proposed changes allow for greater flexibility.

Mayor Campbell noted that with regard to Article 15.05, Specifications for Landscape Improvements and Plant Materials, under section "Trees not Permitted", the Sycamore tree was omitted. Mr. Purdy concurred to amend the section to include both Sycamore and Ash trees.

McShane recognized that the proposed changes would provide further clarity to the Zoning Ordinance.

Knol praised the increased flexibility the proposed changes would provide in the Downtown area. Mr. Purdy noted that additional amendments would be forthcoming with regard to the Downtown District.

**PUBLIC HEARING – DOWNTOWN FARMINGTON CENTER IMPROVEMENTS
SPECIAL ASSESSMENT DISTRICT**

Administration advised that at the January 17, 2005 meeting Council approved a Downtown Farmington Center Improvements Project resolution that determined the project is necessary, that it tentatively intends to proceed with the project, and that it proposes to defray the entire cost of the project by establishing a special assessment district and to schedule a public hearing.

At the request of Council, City Manager Pastue reviewed the elements of the proposed project. He stated that the project would include the construction of two streets and added parking area. He noted that an engineering study shows a determination of necessity whereby the existing parking lot shows a significant level of deterioration that needs to be addressed. He cited an earlier proposed project that was far more expensive and had other improvements.

Mayor Campbell opened the public hearing with a request for public comment.

Daniel Vargovick, owner of Dubin Optometric Clinic, stated that he is a strong proponent of the reconstruction of the Downtown Farmington Center Project as well as the Pavilion, however, he expressed concern regarding how the project would be funded. He noted that Kimco Realty, the only property owner to be assessed, would most assuredly pass on the cost to the local businesses. He stated that in real terms, the businesses would be looking at thousands of dollars in tax increases for the next fifteen years. He noted that businesses are still struggling from the recent massive Farmington Road construction project and does not want a solution that provides "the best parking lot in front of empty businesses".

Mr. Vargovick provided some options to the assessment including: broadening the assessment focus; seek help from constituents; request that the Downtown Development Authority use its excess funds; earmark future grants; and revisit the city's budget to reestablish priorities. He stated that the right solution would likely include a

COUNCIL PROCEEDINGS -3-
February 7, 2005

combination of these options, but that the current solution creates too great a burden on too few people.

Linda Batzloff, owner of Farmington Florist, concurred with Mr. Vargovick's comments and expressed concern that local business could not assume any further rent increases.

Mayor Campbell read into the record a letter from Attorney Thomas Rauch, representing Kimco Realty Corporation, stating, "a formal objection to the establishment of the Special Assessment District in order to preserve any future rights of appeal".

02-05-017 MOTION by Bush, seconded by McShane, to close the public hearing. MOTION CARRIED UNANIMOUSLY.

Administration advised that the next step in the process is for Council to receive a detailed set of plans regarding the project and to instruct the City Assessor to provide an assessment roll. He noted that this project started at a cost estimate of \$1,000,000 and is now down to \$710,000. He stated that the City continues to do everything possible to bring the cost down. He further stated that the City would finance other parts of the overall project that don't directly impact property owners.

Knol thanked Mr. Vargovick for his comments. She spoke about the uniqueness of Farmington and its legal agreement with Kimco regarding the Downtown Parking lot. She noted a future meeting scheduled for business owners to discuss construction plans.

BILL RICHARDS – PROPOSED PARKS AND RECREATION MASTER PLAN

Assistant City Manager Richards gave a presentation on the proposed 2005-2009 Recreation Master Plan. He discussed the development process that included an eight-member committee. He stated that the committee reaffirmed the 1984 Recreation Plan goals of retaining the present recreational land and continuing to develop recreational land, facilities, programs and services to meet the evolving needs of the residents of the city and the neighboring communities.

Mr. Richards cited the key elements of the plan that included: creating the Downtown Center Park; replacing the Shiawassee Park staircase with an ADA compliant "switchback" design connecting the downtown to the park; and creating a "river walk" in the park.

He stated that the Plan includes fourteen specific capital improvement projects at an estimated cost of \$2,868,000.

Council thanked Mr. Richards for the presentation and the Committee's thorough report.

McShane noted the impressiveness of the plan and stated that the City would need to be creative in finding sources for funding.

COUNCIL PROCEEDINGS -4-
February 7, 2005

Bush cited the boldness of the Plan and recognized the need to connect with the right grants to make it happen.

Knol cited the importance of the plan, noting that in many cases the Plan is necessary in order to apply for a grant. She noted the talent of the committee and recognized the significant number of volunteers in the City.

Mitchell stated that the Plan is excellent and he recognized the efforts of the committee. He cited one of the Plan's goals of connecting the Downtown to Shiawassee Park to Heritage Park, noting the importance of the playscape in developing that goal.

McShane noted the ADA compliance of the plan and the importance of accommodating the special needs community.

Mayor Campbell requested the involvement of the Mayor's Youth Council in the implementation of the Plan.

PETITIONS AND COMMUNICATIONS

PETITION – MEMORIAL DAY PARADE

Administration advised that Walter Christensen, representing the Veterans Organizations of the Farmington area, requested permission to use Grand River for the annual Memorial Day Parade.

RESOLUTION 02-05-018 Motion by Bush, seconded by McShane, to approve the use of Grand River for the Veteran's Memorial Day Parade on Monday, May 30, 2005 from 9:00 a.m. to 1:00 p.m.; that the State of Michigan, Department of Transportation, be held harmless from any liability resulting from the closing of Grand River and to authorize the Public Safety Department to file for the appropriate permits with the Michigan Department of Transportation. MOTION CARRIED UNANIMOUSLY.

PETITION – DOWNTOWN DEVELOPMENT AUTHORITY (DDA) EVENTS FOR 2005

Administration advised that DDA Executive Director Morgan has requested permission to conduct DDA events during the 2005 calendar year and has provided Council with a list of proposed events.

Knol noted that it had been awhile since the DDA Director had come before Council. She requested that the Director be scheduled for a meeting in the near future.

Bush questioned the location and activities for the Easter themed event and the location of the Winter Holiday event. Pastue responded that activities for the Holiday event are planned throughout the Downtown. She asked whether the DDA would seek sponsors for the evening concert series, noting that the City donated \$5,000 to this event. Pastue responded that he was unsure of the status of the sponsorship, but indicated that the City is phasing out funding for this event. He stated that he would talk with the Director to determine the status of sponsorship.

COUNCIL PROCEEDINGS -5-
February 7, 2005

McShane noted, based on information from the Main Street organization, that banks typically set aside money each year for worthwhile community projects. She encouraged Administration and the DDA to be proactive in pursuing these funds.

RESOLUTION 02-05-019 Motion by Knol, seconded by Mitchell, to approve the Downtown Development Authority events planned for calendar year 2005, in the manner described and during the dates and times listed in the request. [SEE ATTACHED PROPOSED EVENT SCHEDULE]. MOTION CARRIED UNANIMOUSLY.

REPORTS FROM CITY MANAGER

RESOLUTION – ESTABLISH HISTORIC DISTRICT STUDY COMMITTEE AND APPOINT MEMBERS

Administration advised that the consensus from Council and the Historical Commission is to move forward with the establishment of a Study Committee. Administration further advised that Attorney Schultz has prepared a resolution to establish the committee. Administration also advised that the resolution calls for the appointment of up to seven members and suggested that Council discuss the number of appointments to be made.

Knol stated Council should move forward with the appointment of the five candidates recommended by the Historical Commission and the additional two candidates whose applications were submitted.

McShane asked about applications from interested residents whose names she submitted to the City Manager's office.

Mitchell recommended that all candidates submit applications from which Council would begin the interviewing and appointment process.

McShane stated the importance of providing potential candidates with applications and scheduling a date to make appointments.

Knol suggested appointing more than seven members if there are more volunteers available. Pastue responded that the resolution calls for up to seven members, but could be amended to include additional members.

Discussion followed regarding the appointment process and the number of Committee members.

Mayor Campbell expressed the importance of first compiling a list of candidates along with applications from those who are not currently on a Board or Commission. Pastue confirmed that those candidates who have expressed interest in serving will complete an application and that a final list of candidates would be provided to Council prior to the next meeting.

COUNCIL PROCEEDINGS -6-
February 7, 2005

RESOLUTION 02-05-020 Motion by Bush, seconded by McShane, to adopt an amended resolution to establish an Historic District Study Committee with the appointment of up to thirteen members. [SEE ATTACHED RESOLUTION]. MOTION CARRIED UNANIMOUSLY.

BOND REIMBURSEMENT RESOLUTION, EVERGREEN/FARMINGTON FOOTING DRAIN DISCONNECTION PROJECT

Administration advised that the City received a federal grant as part of the Rouge River National Wet Weather Demonstration Project for the Evergreen-Farmington Footing Drain Disconnection Project. Administration further advised that the grant coincides with the Administrative Consent Order approved by the City as part of the Evergreen-Farmington sanitary sewer overflow problem---an estimated project cost of \$800,000. Administration advised that the City's local match for this project could equal \$480,000 and due to the uncertainty of the cost of the project, the City is requesting that the Council adopt a bond reimbursement resolution. Administration noted that this does not obligate the City to issue the bonds.

RESOLUTION 02-05-021 Motion by Knol, seconded by Mitchell, to adopt a resolution declaring the City's intent to reimburse and authorizing preliminary actions related to proposed issuance of tax-exempt bonds associated with the Evergreen-Farmington Footing Drain Disconnection Project. [SEE ATTACHED RESOLUTION].

ROLL CALL

Ayes: Campbell, Knol, McShane, Mitchell, Bush.

Nays: None.

Absent: None.

MOTION CARRIED UNANIMOUSLY.

MISCELLANEOUS

FINANCIAL REPORT: QUARTER ENDED DECEMBER 31, 2004

Bush asked about the financial outcome of the Farmington Film Festival. Assistant City Manager Richards stated that all the numbers are in except for a few minor ongoing expenses and the approximate net result was a negative \$3,000.

Council concurred to receive and file the financial report for quarter ended December 31, 2004.

APPROVE MONTHLY PAYMENTS REPORT

02-05-022 MOTION by McShane, seconded by Knol, to approve the monthly payments report for January 2005. MOTION CARRIED UNANIMOUSLY.

ESTABLISH SUPER BOWL COMMITTEE (NO HANDOUTS)

Pastue recommended that Council establish a Super Bowl committee of five members to join with Farmington Hills and the Chamber of Commerce in planning events related

COUNCIL PROCEEDINGS -7-
February 7, 2005

to the 2006 Super Bowl. He noted that two Council members, Bush and Knol, have expressed interest in serving.

Mayor Campbell asked if the school system had expressed interest in participating on this committee.

Bush stated that the Super Bowl committee would be a comprised of members from Farmington, Farmington Hills and the Chamber of Commerce and that school participation would be a natural fit. She advised that only three members from Farmington would be appointed to the committee.

Council concurred to support the establishment of a Super Bowl committee.

PUBLIC COMMENT

No public comment was heard.

COUNCIL COMMENTS

McShane announced a meeting at Cowleys on February 8, 2005 at 6:30 p.m. to hear a proposal regarding the construction of three homes off of Hillcrest.

Bush stated that she recently learned from Magistrate Dennis Phenev that the City of Farmington does not have a domestic violence ordinance. She further stated that Director Nebus has indicated that he is in the process of addressing this issue.

Bush asked about the status of updating the City's website, noting that parts of it are outdated. Pastue responded that the Request for Proposal (RFP) to revise and update the site is almost complete. He stated that he would follow up to ensure the site is current and would provide the date to Council of when the RFP would be ready.

As agreed upon at an earlier meeting, Knol advised that a meeting regarding the Warner Mansion needed to be scheduled. She further requested that DDA Director Morgan provide Council with a report on the DDA Board retreat held on the previous Saturday.

Referring to the DDA retreat, Pastue stated that the Board took a close look at how they are organized to address the issues of Main Street. He further stated that they have decided to recommend expanding the Board to eleven members and that he would have an ordinance prepared accordingly.

At the request of Mayor Campbell, Director Nebus announced that the Michigan Association of Chiefs of Police awarded Farmington their traffic award for safety excellence for 2004. He stated that this award was a result of the City's alcohol enforcement program conducted during the latter part of 2004. He further stated that as a result of the award the City received a \$1000 traffic grant.

COUNCIL PROCEEDINGS -8-
February 7, 2005

ADJOURNMENT

02-05-023 MOTION by McShane, seconded by Knol, to adjourn the meeting. MOTION CARRIED UNANIMOUSLY.

The meeting adjourned at 9:32 p.m.

Arnold T. Campbell, Mayor

Patsy K. Cantrell, City Clerk/Treasurer

Susan K. Halberstadt, Recording Secretary

APPROVED: FEBRUARY 21, 2005